

2013 DRAFTING REQUEST

Senate Amendment (SA-AB40)

Received: **6/18/2013** Received By: **fknepp**
Wanted: **As time permits** Same as LRB:
For: **Dave Hansen (608) 266-5670** By/Representing: **Jay Wadd**
May Contact: Drafter: **fknepp**
Subject: **Real Estate - miscellaneous** Addl. Drafters:
Extra Copies:

Submit via email: **YES**
Requester's email: **Sen.Hansen@legis.wisconsin.gov**
Carbon copy (CC) to: **fern.knepp@legis.wisconsin.gov**
pam.kahler@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Remove exemption for mining from the cap on the purchase of foreign land

Instructions:

See attached

Drafting History:

| <u>Vers.</u> | <u>Drafted</u> | <u>Reviewed</u> | <u>Typed</u> | <u>Proofed</u> | <u>Submitted</u> | <u>Jacketed</u> | <u>Required</u> |
|--------------|---------------------|-------------------|-----------------------|----------------|----------------------|----------------------|-----------------|
| /? | fknepp 6/18/2013 | jdye 6/19/2013 | | _____ | | | |
| /1 | | | jfrantze 6/19/2013 | _____ | mbarman 6/19/2013 | mbarman 6/19/2013 | |

FE Sent For:

<END>

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|--------------|---------------------|----------------------------|----------------|----------------|------------------|-----------------|-----------------|
| /? | fknepp 6/18/2013 | <i>TG</i> <i>19 jld</i> | <i>6/19/13</i> | <i>PH</i> | | | |

FE Sent For:

<END>

Knepp, Fern

From: Tradewell, Becky
Sent: Tuesday, June 18, 2013 8:01 AM
To: Knepp, Fern
Subject: FW: Budget Amendment Request

Fern, Will you do this one?

From: Hanaman, Cathlene
Sent: Monday, June 17, 2013 11:21 AM
To: Tradewell, Becky; Knepp, Fern
Subject: FW: Budget Amendment Request

Senate

From: Wadd, Jay
Sent: Monday, June 17, 2013 11:20 AM
To: Hanaman, Cathlene
Subject: Budget Amendment Request

Hi, Cathlene,

Sarah Barry suggested I contact you with respect to a couple of budget amendments Senator Hansen is working on for our caucus.

The first request is to repeal the exemption for mining from the cap on the purchase of foreign land. Below is a link to the state statute that I believe deals with this issue:

<https://docs.legis.wisconsin.gov/statutes/statutes/710/02?view=section>

I will likely have an additional amendment request or two a bit later,

Please let me know if you have any questions.

Jay

Jay Wadd
Office of Senator Dave Hansen
608-266-5670

710.02(2)(d)
(3)



State of Wisconsin
2013 - 2014 LEGISLATURE



LRBb0669/2

FFK: A....

In 6-18-13

d-note

jld RMR

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

SENATE AMENDMENT,

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO ASSEMBLY BILL 40

amend the bill, as shown by
Assembly Substitute

1

At the locations indicated, ~~amend the substitute amendment~~ ¹ as follows:

2

1. Page 1207, line 14: after that line insert:

3

"SECTION 2272e. 710.02 (2) (d) of the statutes [✓] is repealed.

4

SECTION 2272f. [✓] 710.02 (3) of the statutes is amended to read: ^{as affected by 2013 Wisconsin Act 1,}

5

710.02 (3) USE OF LAND RESTRICTED. Land in excess of 640 acres, acquired by

6

a person listed under sub. (1) other than a person listed under sub. (2) (a), (b), or (c)

7

for an activity listed under [✓] s. 710.02 (2) (d), ^{e 2011} 2013 stats., or sub. (2) (d), [✓] (e), (f), or (g),

8

may not be used directly or indirectly by that person for any activity not under s.

9

^{e 2011} 710.02 (2) (d), [✓] 2013 stats., or sub. (2) (d), [✓] (e), (f), or (g). Pending the conversion and

10

development of the land for a purpose permitted under s. 710.02 (2) (d), ^{e 2011} 2013 stats.,

11

or sub. (2) (d), [✓] (e), (f), or (g), it may be used for agriculture or forestry purposes under

1 a lease to a person not subject to sub. (1). Products of the land may be sold by the
2 lessee to the owner of the land.

3 History: 1983 a. 335; 1987 a. 186; 1989 a. 31; 1993 a. 112; 2013 a. 1. ✓

3 **SECTION 2272g. 710.02 (4) (a) 2.** of the statutes is amended to read:

4 710.02 (4) (a) 2. If the interest in land is acquired, owned, or held under an
5 exception set forth in sub. (2), a statement which sets forth the specific exception and,
6 if under s. 710.02 (2) (d), 2011 stats., or sub. (2) (d), (e), (f), or (g), the timetable and
7 plan for conversion and development to a purpose permitted under sub. (2) (d), (e),
8 (f), or (g).". ✓

9 History: 1983 a. 335; 1987 a. 186; 1989 a. 31; 1993 a. 112; 2013 a. 1.

9 **2.** Page 1382, line 9: after that line insert:

10 "(1) LAND OWNERSHIP BY NON-RESIDENT ALIENS; MINING EXCEPTION. The treatment
11 of section 710.02 (2) (d) of the statutes first applies to land acquired on the effective
12 date of this subdivision". ✓

13 (END)

subsection

d-note
↓

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

date

LRBb0669/3dn

FFK:.....

jld

To Senator Hansen:

*

I included an initial applicability provision ^{to this draft} ⁱⁿ ^{an amendment} to avoid any unconstitutional takings issues. Please let me know if this is not consistent with your intent.

Fern Knepp
Legislative Attorney
Phone: (608) 261-6927
E-mail: fern.knepp@legis.wisconsin.gov

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb0669/1dn

FFK:jld:rs

June 19, 2013

To Senator Hansen:

I included an initial applicability provision in this amendment to avoid any unconstitutional takings issues. Please let me know if this is not consistent with your intent.

Fern Knepp
Legislative Attorney
Phone: (608) 261-6927
E-mail: fern.knepp@legis.wisconsin.gov